

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

ARIBA, INC.,

Plaintiff,

v.

SKY TECHNOLOGIES LLC,

Defendant.

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: Civil Action No. 05-11883 WGY  
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**MOTION TO ADMIT COUNSEL PRO HAC VICE**

In accordance with Local Rule 83.5.3, the undersigned attorney, duly admitted to practice before this Court, hereby moves that Annette L. Hurst, Esq. be permitted to represent the Plaintiff, Ariba, Inc., in the above captioned action for all matters related to this case. Annette L. Hurst, Esq. is an attorney admitted to practice before the state courts in the State of California and before the United States District Court for the Northern District of California. In support of this motion, the undersigned states:

1. Annette L. Hurst, Esq. is an attorney with the law firm of Heller Ehrman LLP, 333 Bush Street, San Francisco, CA 94104.

2. A declaration under penalty of perjury setting forth the necessary information regarding Annette L. Hurst, Esq.'s qualifications to practice before this Court hare attached hereto as Exhibit A, and made a part hereof.

3. The undersigned has agreed to act as local counsel for Ariba, Inc. in this proceeding and, as such, agrees to be the Massachusetts recipient of all pleadings and communications on Plaintiff's behalf. The address and telephone number to which all such pleadings and communications may be sent are as follows:

H. Joseph Hameline, Esq.  
Geri L. Haight, Esq.  
Mintz, Levin Cohn, Ferris, Glovsky & Popeo, PC  
One Financial Center  
Boston, MA 02111  
(617) 542-6000  
(617) 542-2241 (fax)

WHEREFORE, the undersigned respectfully requests that this Court admit Annette L. Hurst, Esq. to practice as a visiting attorney before this Court representing Plaintiffs in all matters related to this proceeding.

Respectfully submitted,

ARIBA, INC.,  
By its attorneys,

/s/ H. Joseph Hameline  
H. Joseph Hameline, BBO No. 218710  
Geri L. Haight, BBO No. 638185  
MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY AND POPEO, P.C.  
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OF COUNSEL:

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L.J. Chris Martiniak  
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San Francisco, CA 94104-2878  
Telephone: (415) 772-6000  
Facsimile: (415) 772-6268

DATED: November 18, 2005

**EXHIBIT A**

I, Annette L. Hurst, declare as follows:

1. I am an attorney admitted to practice before the state courts in the State of California and before the United States District Courts for the Northern District of California, Eastern District of California, Central District of California, District of Colorado, and the Ninth Circuit Court of Appeals.
2. I am in good standing in every jurisdiction where I have been admitted to practice.
3. There are no disciplinary proceedings pending against me as a member of the bar in any jurisdiction.
4. I am familiar with the Local Rules of the United States District Court of the District of Massachusetts.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed this 15th day of November, 2005 in San Francisco, California.

/s/ Annette L. Hurst  
Annette L. Hurst